

**June 10, 2009**

Simply stated, my amendment would require the Secretary of State to report to Congress within 60 days on potential changes in treaty language and related U.S. laws that would improve other countries' compliance with The Hague Convention on International Child Abduction. Let me briefly explain why this amendment is necessary. In force since 1980, The Hague Convention on the Civil Aspects of International Child Abduction was created to ensure that if a child is wrongfully removed from his or her country of habitual residence by one parent against the will of the other parent, the aggrieved parent would have an internationally recognized means of recovering the abducted child.

Unfortunately, one of my constituents has come face to face with the very real limitations of the current The Hague Convention in his efforts to recover his kidnapped son from Brazil, which, like the United States, is a signatory to The Hague Convention.

Mr. Chair, 5 years ago this month, Mr. David Goldman from central New Jersey began a long and painful odyssey to rescue his son from an international parental kidnapping. He had driven his wife and their 4-year-old son to the Newark Airport for a scheduled trip to visit her parents in Brazil. Mr. Goldman was to join them a few days later. But before he could, he received a phone call saying two things: His wife said their marriage was over; and if he ever wanted to see their son Sean again, he would have to sign over custody. To his credit, Mr. Goldman refused to be blackmailed. Instead, he began a long and relentless campaign to secure his son's release.

Despite the clear legitimacy of Mr. Goldman's claim, the case has crawled along in Brazil's courts, bouncing back and forth for years. Mr. Goldman's wife secured a divorce in Brazil and began a new relationship with a prominent lawyer. Unfortunately, Mr. Goldman's former wife died, a fact that Mr. Goldman learned only some time later because the family had concealed that from the Brazilian courts.

After my intercession and that of Mr. Smith, and with the help of the State Department, Brazilian authorities moved to have the case once again sent to Brazil's federal courts to secure visitation rights for Mr. Goldman. That effort was successful. David Goldman was able to see his son for the first time in nearly 5 years, earlier this year. Now just this month, the Brazilian federal court in Rio ordered Sean returned to Mr. Goldman. But amazingly, a Brazilian political party filed a

motion with the Brazilian Supreme Court asserting that Brazil's accession to The Hague Convention was unconstitutional.

I'm pleased that the Obama administration has filed a motion with the Brazilian Supreme Court seeking to have this frivolous motion dismissed, but we should do more. This outrageous delaying tactic, brought by an entity with no genuine standing in the case, has only underscored the need for the United States and other nations to examine potential changes to the convention necessary in order to prevent these kinds of cases from dragging on for years. The Hague Convention on parental child abduction should not be a justification for delay. I ask my colleagues to support my amendment so that we can receive, in a timely fashion, advice and recommendations from Secretary Clinton on measures that may be taken to help speed the resolution of cases like that of David and Sean Goldman.